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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,) 3:05-cr-00098-HDM
Plaintiff/Respondent,) 3:10-cv-00531-HDM
vs.) ORDER
JOHNATHON ROBERTS,)
Defendant/Petitioner.)

The defendant has filed a motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. § 2255 (#377). The court will conduct an evidentiary hearing limited solely to the defendant's claim that his counsel Marc Picker rendered ineffective assistance of counsel by failing to file a motion to suppress evidence obtained in the search of defendant's garbage can on Wednesday, May 5, 2005. The hearing will be conducted at 3:30

1 p.m., on Wednesday, January 25, 2012, in Courtroom 4 of the Bruce
2 R. Thompson Federal Courthouse.

3 IT IS SO ORDERED.

4 DATED: This 15th day of December, 2011.

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7 UNITED STATES DISTRICT JUDGE
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